

**BEFORE THE MINNESOTA  
BOARD OF PHYSICAL THERAPY**

In the Matter of the  
Physical Therapy License of  
Steven W. Jensen, P.T.  
D.O.B. 12/29/56  
License No. 5082

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Jensen, P.T. (“Respondent”), and the Complaint Review Committee (“Committee”) of the Minnesota Board of Physical Therapy (“Board”) as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice physical therapy in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by Lynn J. Hummel, 211 Holmes Street, #201, P.O. Box 1409, Detroit Lakes, Minnesota, 56502, telephone (218) 847-4858. The Committee was represented by Thomas Vasaly, Assistant Attorney General, 1400 NCL Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, (651) 296-7575.

**FACTS**

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent is a self-employed, licensed physical therapist who provides physical therapy and rehabilitation through his company, Therapy Services, Inc.

b. On November 20, 1998, Respondent met with the Complaint Review Committee to discuss concerns about his supervision and delegation of duties to aides and assistants and documentation in patient records. The matter was continued pending further investigation.

c. Following a review of twelve patient records by the Board's consultant, it was determined that Respondent has failed to meet minimum standards of care required of a physical therapist. Respondent's recordkeeping is deficient in the following ways:

1) Failed to address patients' medical history and prior level of function, or onset of diagnoses.

2) Failed to include a systems review, contraindications or precautions to treatment.

3) Failed to address any impairments that contribute to any limitations a patient may have.

4) Failed to indicate rehabilitation potential, a prediction of outcome or prognostic indicators.

5) Failed to indicate goals, patients' responses to intervention, an assessment of the patients' response to interventions and updates to goals based on patients' response to intervention.

6) Failed to document the reason physician-ordered treatments were not completed.

d. The Committee was concerned about Respondent's emotional well being after he reported a family tragedy that occurred in December 1998. Respondent agreed to obtain an evaluation and follow any recommendations.

## **STATUTES**

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 148.75(a)(5) and 148.706 (1998 and Supp. 1999). Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

## **REMEDY**

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order conditioning and restricting Respondent's license to practice physical therapy in the State of Minnesota as follows:

a. Respondent shall complete a psychiatric evaluation, with a pre-approved psychiatrist, within three months. Respondent shall bear the cost associated with the evaluation and shall comply with treatment recommendations.

b. Within six months of the effective date of this Order, Respondent shall obtain a pre-approved group practice setting, or as an alternative, submit a plan for close supervision.

c. Within six months of the effective date of this Order, Respondent shall successfully complete a pre-approved documentation workshop.

d. Within two years of the effective date of this Order, Respondent shall successfully complete the following courses, pre-approved by the Complaint Review Committee or its designee:

- 1) guide to physical therapist practice workshop;

- 2) communications; and
- 3) physical therapy assessment and treatment approaches.

e. Respondent shall submit to and cooperate with random quarterly practice reviews to be performed by the Problem Identification/Peer Review Committee of the Minnesota Chapter of the American Physical Therapy Association (“MNAPTA”). Each review shall include a chart audit. Respondent shall be responsible for ensuring the Board receives quarterly reports from MNAPTA Problem Identification/Peer Review Committee regarding the findings of each review performed.

f. Respondent shall meet on a quarterly basis with a designated Board member. Such meetings shall take place at a time mutually convenient to Respondent and the designated Board member. It shall be Respondent’s obligation to contact the designated Board member to arrange each of the quarterly meetings. The purpose of such meetings is to review Respondent’s progress under the terms of this Stipulation and Order.

g. This Stipulation and Order shall remain in effect for a minimum of two years. At the end of this period, Respondent may petition for reinstatement of an unconditional license. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

6. Within ten days of the date of this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent’s residences and all work sites. Within seven days of any change, Respondent shall provide the Board with the new address and telephone information. The information shall be sent to Stephanie Lunning, Minnesota Board of

Physical Therapy, University Park Plaza, 2829 University Avenue S.E., Suite 315, Minneapolis, Minnesota 55414-3246.

7. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice physical therapy.

8. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent shall have a right to a full evidentiary contested case hearing before a state administrative law judge. However, the administrative law judge shall not make the final decision regarding whether or not discipline is to be imposed; rather, that decision remains with the full Board after it receives the report and transcript of evidence from the administrative law judge. It is understood that Respondent shall have the right to challenge the Board's final decision through an appeal to the Minnesota Court of Appeals.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.

9. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

10. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

RESPONDENT

COMPLAINT COMMITTEE

SIGNATURE ON FILE

\_\_\_\_\_  
STEVEN W. JENSEN, P.T.

By: \_\_\_\_\_  
SIGNATURE ON FILE  
For the Committee

Dated: \_\_\_\_1/3/2001\_\_\_\_\_, 2000

Dated: \_\_\_\_1/18/2001\_\_\_\_\_, 2000

\* \* \*

**ORDER**

Upon consideration of the foregoing stipulation and the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT the terms of the stipulation are adopted and implemented by the Board this \_\_18\_\_ day of \_\_January\_\_\_\_\_, 2000~~0~~.1.

MINNESOTA BOARD OF  
PHYSICAL THERAPY

SIGNATURE ON FILE

By:

\_\_\_\_\_  
STEPHANIE LUNNING  
Executive Director

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